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EXHIBIT 2

1 Jason Barrat; AZ Bar No. 029086
 2 James Weiler; AZ Bar No. 034371
 3 Kelsey Whalen; AZ Bar No. 037043
 4 Jessica Miller; AZ Bar No. 031005
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10 Attorneys for Plaintiff

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF ARIZONA**

13 **Jason Fritch, an Arizona resident;**

14 Plaintiff,

15 v.

16 **Orion Manufactured Housing**
 17 **Specialists, Inc., an Arizona company;**
 18 **and L. James Miller, an Arizona resident;**

19 Defendants.

20 **Case No. 4:21-cv-00509-JGZ-JR**

21 **DECLARATION OF JAMES WEILER**

22 **(Assigned to the Hon. Jennifer G. Ziffs)**

23 1. I am counsel of record for Plaintiff Jason Fritch in the above-entitled action.

24 I have been an attorney involved in this case since August 16, 2022.

25 2. I submit this Declaration in support of Plaintiff's Motion for Award of
 26 Attorneys' Fees.

27 3. I have been a member in good standing of the State Bar of Arizona for over
 28 five years since being admitted to the Arizona bar in April 2018. I have been a member in

1 good standing of the Illinois Bar since 2009. During my entire tenure as a litigator, I have
2 litigated over a hundred cases for employees and employers during this time frame. Almost
3 all of my Plaintiff cases are on a contingency basis.
4

5 4. I attended The Ohio State University for undergrad from 2002-2006, and
6 successfully earned my bachelors degrees in both Finance and Real Estate & Urban
7 Analysis. Following undergrad, I earned my *Juris Doctor* from the Loyola University of
8 Chicago School of Law in 2009. I passed the Illinois bar in 2009 and was licensed to
9 practice law in November 2009.
10

11 5. For the past 5 years I have focused my practice on employment law and have
12 represented numerous employment litigation plaintiffs in both Superior Court and the
13 Federal Court for the District of Arizona. I am also admitted to practice in the United
14 States Court of Appeals for the Ninth Circuit.
15

16 6. I am one of two partners of a law firm located in Phoenix, Arizona, with five
17 attorneys (including myself). My law firm, Weiler Law PLLC, focuses primarily on
18 plaintiffs' employment litigation and wage and hour claims.
19

20 7. I acted as co-counsel for this matter. I was responsible for assisting counsel
21 with the completion of discovery including depositions. I was also responsible for
22 developing case strategy and preparing this matter for trial. I was the primary attorney that
23 would have conducted the trial had this matter not resolved shortly before trial.
24

25 8. I have not received any payment for accrued attorneys' fees or costs.
26 Although the Plaintiff in this case was never obligated to pay an hourly rate, my hourly
27 rate is \$400 per hour. This hourly rate is commensurate with my experience level, and is
28 well within the standard hourly rates charged by other law firms in the Phoenix

1 Metropolitan Area, particularly given the skill level and time commitment required to
2 successfully litigate a FLSA lawsuit.

3 9. All attorneys at my firm maintain detailed daily time records on behalf of our
4 clients. Such time is recorded in 1/10th of an hour increments. Each time record is
5 maintained on the firm's computers, the firm's network, and then is backed-up online. All
6 fee records are prepared contemporaneously with the time or expense that is being billed.

7 10. I have personally rendered all of the services reflected in the Billing
8 Summaries under the initial "JW" (attached hereto as "**Exhibit 5**"). Those Billing
9 Summaries reflect the date that the service was rendered; a description of the work actually
10 performed; and the amount of time expended (in tenths of an hour).

11 11. As reflected in the summaries and **Exhibit 5**, the legal fees incurred by me
12 in this case total 9.4 hours at \$400 per hour to equal \$3,760.

13 12. Some of the entries included in **Exhibit 5** contain general descriptions of the
14 work performed and were prepared for the purpose of protecting attorney-client
15 communications.

16 13. During the course of my firm's representation of Plaintiff, I have exercised
17 billing judgment by striking items from this fee request that are duplicative, if any, or other
18 time for which the firm would not expect to be compensated.

19 14. In light of the foregoing, I request that the Court award my attorneys' fees in
20 the amount of **\$3,760**.

21 15. I declare under penalty of perjury that the foregoing is true and correct.

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28 RESPECTFULLY SUBMITTED August 1, 2023.

1 **WEILER LAW PLLC**
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By: /s/ James Weiler
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